## TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.

#### **COUNSELORS AT LAW**

RICHARD R. TREXLER (1906-1995)
RICHARD BUSHNELL (1926-2004)
RICHARD A. GIANGIORGI
RAIFORD A. BLACKSTONE, JR.
DAVID J. MARR
LINDA L. PALOMAR
JAMES R. FOLEY
ROBERT J. DEPKE
JAMES A. O'MALLEY
TIMOTHY. M. McCARTHY

THE CLARK ADAMS BUILDING 105 WEST ADAMS STREET, SUITE 3600 CHICAGO, ILLINOIS 60603-6210 (312) 704-1890

**FOUNDED 1890** 

PATENT, TRADEMARK, COPYRIGHT AND RELATED MATTERS; ALL PHASES INCLUDING LICENSING AND LITIGATION

> FAX: (312) 704-8023 www.trexlaw.com

> > RECEIVED CENTRAL FAX CENTER

LEWIS T. STEADMAN, SR.

PAIGE A. KITZINGER

**FACSIMILE TRANSMISSION** 

FEB 0 9 2006

OF COUNSEL.	
TOTAL PAGES (Including Cover Page)	DATE:
Commissioner of Patents and Trademark	CS CS
TO: Examiner Stevan A. Resan	FROM: Robert J. Depke, Reg. No. 37,607
FAX NO: (571) 273-8300	FAX NO: (312) 704-8027
If you experience any difficulty with this transmission, please call (312) 704-1890 for assistance.	
ORIGINAL COPY AND ENCLOSURES	
WILL BE SENT BY	MAIL COURIER
✓ WILL NOT BE SENT	

### NOTES:

Inventor:

Atsushi Kato

Serial No.:

10/614,373

Art Unit: Filed:

1773

rneu.

July 7, 2003

Attorney Ref.: 075834.00411

- 1/

CERTIFICATION OF FACSIMILE TRANSMISSION

# IMPORTANT NOTICE

This transmission (including all attached pages) is intended only for the use of the named addressee(s), and may contain information that is privileged or exempt from disclosure under applicable law. IF YOU ARE NOT A NAMED ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS TRANSMISSION IS STRICTLY PROHIBITED. If you have received this transmission in error, please destroy all copies and notify us immediately at this telephone number: (312) 704-1890.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE liection of information unless it displays a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are required to respond to RECEIVE Application Number 10/614.373 Filing Date TRANSMITTAL July 7, 2003 First Named Inventor **FORM** Atsushi Kato Art Unit 1773 Examiner Name Stevan A. Resan (to be used for all correspondence after initial filing) Attorney Docket Number 075834.00411 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC ~ Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer below): Extension of Time Request Response to Notice of Non-Compliant Request for Refund Express Abandonment Request Amendment CD, Number of CD(s)\_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 20-1495 Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd. 105 West Adams Street, Suite 3600, Chicago, IL 60603-6299 Signature Printed name Robert J. Depke Date Reg. No. 37,607 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date Robert J. Depke Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

10/614,373

7415 Confirmation No.:

Applicant:

Atsushi Kato

Filed:

July 7, 2003

TC/A.U.:

1773

Examiner:

Stevan A. Resan

Docket No.:

075834.00411

Customer No.:

33448

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

SIR:

In response to the Notice of Non-Compliant Amendment, mailed January 9, 2006, 2005, Applicants are resubmitting the amendments to the claims faxed on December 27, 2005, with the requested corrections. Namely, Applicants show that claims 9 and 10 were withdrawn.

Applicants submit that these changes place the amendment in full compliance with all requirements. Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to deposit account number 20-1495.

Appln. No. 10/614,373 Atty Docket No. 075834.00411

2/9/0/

Respectfully submitted,

By:

Robert Depke, Beg. No. 37,607 Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd.

Blackstone & Marr, Ltd. 105 W. Adams, 36th Floor Chicago, Illinois 60603

Tel: (312) 704-1890 Attorney for Applicant

00411 Response to Non Compliant Amendment.wpd